## FEDERAL COMMUNICATIONS COMMISSION CREDIT & DEBIT MANAGEMENT Washington, D. C. 20554

GROUP OMD

DEC 18 2000

OFFICE OF MANAGING DIRECTOR

> Kathryn R. Schmeltzer, Esquire Shaw Pittman 2300 N Street, N.W. Washington, DC 20037-1128

> > RE: Mayville Communications, Inc. Request for Waiver and Refund of Regulatory Fees for Fiscal Year 1999 Fee Control No. 9909278835854001

Dear Ms. Schmeltzer:

This is in response to your request for waiver and refund of regulatory fees paid for Fiscal Year (FY) 1999 as a nonprofit entity. You provide a copy of an advance ruling from the U.S. Internal Revenue Service (IRS advance ruling) determining that Mayville is tax exempt under section 501(a) of the Internal Revenue Code as a nonprofit organization under section 501(c)(3).

The Commission's rules provide that entities that qualify as tax exempt, nonprofit organizations under section 501 of the Internal Revenue Code are exempt from the requirement to pay regulatory fees. 47 C.F.R. § 1.1162(c). The IRS advance ruling that vou provided establishes that Mayville is exempt from the regulatory fee requirement under section 1.1162(c) of the Commission's rules. Accordingly, we will refund Mayville's payment of regulatory fees for FY 1999. In addition, we exempt Mayville from payment of future regulatory fees so long as it maintains its tax exempt status under the provisions of the IRS advance ruling.

Please note that Mayville is under a continuing obligation to report to the Commission any changes that could affect its qualification for this fee exemption, such as change in corporate status or IRS determination. Mayville also is required to submit to the Commission a copy of the IRS' final determination of its tax exempt status, before the deadline by which regulatory fees otherwise would be due, in order to retain its exemption from regulatory fees under section 1.1162(c) of the Commission's rules. You should keep this letter and submit a copy of it with any future correspondence with the Commission concerning regulatory fees for Mayville.

A check made payable to Mayville and drawn in the amount of \$7,300.00 will be sent to you at the earliest practicable time. If you have any questions concerning the refund, please call the Credit & Debt Management Group at (202) 418-1995.

Sincerely,

Mark A. Reger

Chief Financial Officer

## FISHER WAYLAND COOPER LEADER & ZARAGOZA L.L.P.

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March 3, 2000

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## VIA HAND DELIVERY TO THE OFFICE OF THE SECRETARY

Andrew S. Fishel, Managing Director Office of the Managing Director Federal Communications Commission 445 Twelfth Street, S.W. Washington, D.C. 20554

Re: Mayville Communications, Inc.

Station WWRS-TV, Mayville, Wisconsin, FIN 68547 SUPPLEMENT TO REQUEST FOR WAIVER OF

REGULATORY FEE AND REQUEST FOR FEE REFUND

Dear Mr. Fishel:

On behalf of Mayville Communications, Inc. ("Mayville"), we hereby supplement its letter request for a waiver of payment of the 1999 annual FCC regulatory fee, which was filed on September 22, 1999, (a date-stamped copy of which is attached). On February 16, 2000, the Internal Revenue Service issued a determination letter, which we submit to supplement Mayville's request.

The IRS letter states that it has determined that Mayville is exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3). The exemption applies to an advance ruling period of five years, which commenced on January 1, 1999 and will end on December 31, 2003, after which time the IRS will issue a final determination. Please note that the "effective date" of the determination letter is August 21, 1995 (see page 3), which is the date that Mayville was incorporated in the State of Wisconsin. This time period covers fiscal year 1999, which is at issue in Mayville's request for exemption from payment of the FCC FY 1999 regulatory fees. By this letter, Mayville also requests refund of the regulatory fee which it paid on September 22, 1999, in the amount of \$7,300.00.

In addition, this documentation is submitted as required by 47 CFR §1.1162(c) to verify Mayville's nonprofit status and exempt it from payment of any future regulatory fees. As

Office of the Managing Director Federal Communications Commission March 3, 2000 Page 2

referenced above, Mayville is the licensee of Television Broadcast Station WWRS-TV, Mayville, Wisconsin, Facility ID Number 68547. Mayville's principal and contact address are as follows:

Jane Duff, President Mayville Communications, Inc. 5405 Alton Parkway, Suite 5A-648 Irvine, CA 92064 Telephone (949) 6545-4390

If there are any questions concerning this matter please communicate with the undersigned.

Very truly yours,

Kathryn R. Schmeltzer

Lathrene & Schmilton

KRS/VSB

cc:

Theresa Meeks, Credit & Debt Management Center, FCC

Regina Dorsey, Esq, Chief, Credit & Debt Management Center, FCC

J:\DATA\CLIENT\96\9680\9680000L.002

## **Payment Transactions Detail Report**

BY: FEE CONTROL NUMBER

Date: 03/13/2000

 
 Fee Control Number
 Payor Name
 Fcc Account Number
 Payer TIN
 Received Date

 9909278835854001
 MAYVILLE COMMUNICATIONS INC
 WP00016320
 0391830309
 9/22/1999 00:00:0

**5405 ALTON PARKWAY** 

**SUITE 5A 648** 

CA

IRVINE

92604

Payment Amount	Current Balance	Seq Num	Payment Type Code	Quantity	Callsign Other Id	Applicant Name	Applicant Bad Zip Check	Detail Amount	Trans Code	Payment Type
\$7,300.00	\$7,300.00	1	MFU9	1	68547	MAYVILLE COMMUNICATIONS INC	92604	\$7,300.00	) 2	PMT
\$7,300.00	\$7,300.00	2	MFU9	1	68547	MAYVILLE COMMUNICATIONS INC	92604	(\$7,300.00)	) 2	ADJ
\$7,300.00	\$7,300.00	3	MFU9	1	WWRS TV	MAYVILLE COMMUNICATIONS INC	92604	\$7,300.00	) 2	PMT
Total 3								\$7,300.00	j	